

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CHASE BOUTIN,

Defendant.

8:01CR3128

ORDER

Defendant Chase Boutin (Boutin) appeared before the court on February 9, 2015, on the Second Amended Petition for Warrant or Summons for Offender Under Supervision (Petition) (Filing No. 124). Boutin was represented by Assistant Federal Public Defender Julie B. Hansen and the United States was represented by Assistant U.S. Attorney John E. Higgins. Through his counsel, Boutin waived his right to a probable cause hearing on the Petition pursuant to Fed. R. Crim. P. 32.1(a)(1). I find the Petition alleges probable cause and Boutin should be held to answer for a final dispositional hearing before Senior Judge Lyle E. Strom.

The government moved for detention. Through counsel, Boutin declined to present any evidence or request a hearing on the issue of detention. Since it is Boutin's burden under 18 U.S.C. § 3143 to establish by clear and convincing evidence that he is neither a flight risk nor a danger to the community, the court finds Boutin has failed to carry his burden and that Boutin should be detained pending a dispositional hearing before Senior Judge Strom.

IT IS ORDERED:

1. A final dispositional hearing will be held before Senior Judge Lyle E. Strom in Courtroom No. 5, Third Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, **at 10:00 a.m. on February 26, 2015**. Defendant must be present in person.
2. Defendant Chase Boutin is committed to the custody of the Attorney General or his designated representative for confinement in a correctional facility;
3. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel; and
4. Upon order of a United States court or upon request of an attorney for the government, the person in charge of the corrections facility shall deliver defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 9th day of February, 2015.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge